

FILED

2014 APR 11 PM 4:28

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF OHIO

1:14 CV 797

PAUL R. GWAZ

Aggrieved man,

PLAINTIFF

V

Agents of, and

City of PARMA,

STATE of OHIO

Wrongdoers

DEFENDANTS

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JUDGE NUGENT

MAG. WHITE

TORT CLAIMS FOR DAMAGES: Intentional

Infliction, Wrongfully Asserting

Dominion, Extreme and Outrageous

Conduct ,Utterly Intolerable Conduct,

Severe Mental Distress, Battery,

Intentional False Imprisonment,

Assault ,Trespass

PAUL R. GWAZ, (A.K.A. the Aggrieved ,I, me, man) a man, and in the name of the Lord, by special appearance, seeks resolution, remedy, restitution in the court of record, from the DEFENDANTS (aka wrongdoers, agents, CITY OF PARMA, STATE of OHIO, DEFENDANTS). I have been falsely accused, kidnapped and imprisoned by DEFENDANTS. The DEFENDANTS acted wrongly and injured me without my consent. Constitution'. U.S. Codes: 5 U.S.C. §§ 1983; 3331, and/or; 28 U.S.C. 543 I am over the age of eighteen, suffer no legal disabilities, have personal knowledge of the facts set forth below, and am competent to testify. I was deprived of life, liberty, and pursuit of happiness by the DEFENDANTS. I was born on the land of Connecticut, I am not a corporate being, I have given notice of return all evidence of a corporate being but am in the body of the church whom Christ is the head and am subject to him and choose to remain separate from the STATE. I have returned the social security number and gave a NORTH CAROLINA DRIVERS LICENSES to the Clerk of Court at LAKEWOOD, OHIO and do not use zip codes to put me in federal jurisdiction.

I invoke having direct personal access to a God inspired, original Constitution and it's restraints on government for the protection of life, liberty and property and claim direct personal access to the Article III courts known as "justice courts" which deal with law. When the subject matter jurisdiction was challenged, 2th day of October, 2012, and JUNE 13, 19, 27, 2013 year of our LORD the party asserting that the court has subject matter jurisdiction had the burden of

showing that it exists on the record. Once the court has knowledge that subject matter is lacking, the court (meaning the judge) has no discretion but to dismiss the action. Failure to dismiss means that the court is proceeding in clear absence of all jurisdictions and subjects the judge to suit under Title 42. THEY FAILED TO DISMISS. I gave notice my fee was \$250,000 per violation of my god given rights.

Nature of claims:

DEFENDANTS, failed to perform their duties in honor:

- They have failed to protect me, one of the people, breached title 18 U.S.C. **18 U.S.C. § 112 - Protection of foreign officials, official guests, and internationally protected**
- Failed to redress grievances
"You must always find the statutory remedy that *must* be provided for "the people" and apply the remedy in equity. See, Ashwander v. TVA, 297 US 288)."
- Failed to dismiss false charges, Party **cannot be bound by contract** that he has not made or authorized." Alexander v. Bosworth (1915), 26 C.A. 589, 599, 147 P.607. U.S. v. Tweel, 550 F. 2d 297 (1977)

The government is precluded from using evidence that is known to the government to be false. *Napue v. Illinois*, 360 U.S. 264, 269, 3 L. Ed. 3d 1217, 79 S. Ct. 1173 (1959).

- Failed to prove jurisdiction and allow peacefully travel on public roads.
Failure to dismiss means that the court is proceeding in clear absence of all jurisdictions and subjects the judge to suit under Title 42. Right of transit through each state, with every

species of property known to constitution of United States, and recognized by that paramount law, is secured by that instrument to each citizen, and does not depend upon uncertain and changeable ground of mere comity." In *Re Archy* (1858), 9 C.

47. "Traveling is passing from place to place--act of performing journey; and traveler is person who travels."

- Failed to pay contracts, or respond to invoices for violating my rights.
- Failed distinguish between CHURCH man that are separate from the STATE dead corporate entities.
- Failed to recognize and be subject to the OHIO and United STATES constitutions.
- Failed to respond after I "invoked the original jurisdiction of the Supreme Court,"
"Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered is intentionally misleading".
Napue v. Illinois, 360 U.S. 264, 269, 3 L. Ed. 3d 1217, 79 S. Ct. 1173 (1959).
- Failed to feed me in custody, to provide medical care in custody,
(cruel and unusual punishment)
- Failed to give me due process and have access to the court,
 - Failed to provide oaths of office,
(Oath of Office: Article VI clause 3, 'united states)
 - Failed to answer to a complaint, failed to allow a counterclaim to be submitted,
Failure to arbitrate.
 - Failed to respond to a private communication, special appearances, **The National Arbitration Act has been adopted by the States to take the burden of litigation off of the civil courts. Judges hold public office under Title 28 USC,**

**Chapter 176, Federal Debt Collection Procedure: Title 28, Chapter 176, Federal
Debt Collection Procedure**

- Failed to identify himself as a police officer, failed to protect, follow the law, by illegal handcuffing and **not** taking me immediately to the magistrate.
- Failure to move case to a district court, as requested for fear of my life is in danger in the Court of CITY of PARMA, acting as a terrorist organization or organized crime syndicate.
- Failure to act as Judge, as Trustee, to grant Final Order and Administrative Declaratory Judgment so **I can recover** from these 19 claims and 10 exhibits
- Failed to let me conduct my business and affairs in private
- Failure to release me when demanded from jail without a bond
- Failure to stop harassment when I refuse to contract with them.

DEFENDANTS of CITY OF PARMA, STATE OF OHIO (A.K.A. DEFENDANTS):

1. **ROBERT JANKOWSKI** self-subjected, rather than insubordinate, **to corporate charter.**
2. **Timothy G. Dobeck** self-subjected, rather than insubordinate, **to BAR oath.**
3. Judge Kenneth Spanagel self-subjected, rather than insubordinate, **to constitutional oath.**
4. **MARTY VITTARDI** self-subjected, rather than insubordinate, **to their company policy.**
5. Magistraite Fink self-subjected, rather than insubordinate, **to their company job application terms.**

6. **Timothy G. Dobeck** self-subjected, rather than insubordinate, failed **to bring forth a victim.**

7. Judge Kenneth Spanagel self-subjected, rather than insubordinate, **to protect the people.**

8. Officer John Doe self-subjected, rather than insubordinate, failed **to act as a peace officer and created a public nuisance by acting under the color of law that an emergency was happening, and failed to identify himself.**

10. **HON.** Judge Christopher A. Boyko self-subjected, rather than insubordinate when I asked his help to settle these issues in a "Private Capacity communication-Private Post January 2, 2013 with no response.

11. **DEFENDANTS, CITY of PARMA** self-subjected, rather than insubordinate, to their "Business and Professions binding upon them rather than binding on me.

12. Police Officers self-subjected, rather than insubordinate, **to mission statement to protect and serve.** Committed crimes of aggression.

13. **JON HUSTED** self-subjected, rather than insubordinate, **to articles of incorporation** whereby they stated/swore to an offered Secretary of State they'd violate no law, they function without even the perception "violating law" Private individuals are blameworthy and fully liable under United States Supreme Court rulings which illustrate that private individuals are within reach of 42 USC 1983 when acting under the color of law.

14. DEFENDANTS of the City of PARMA self-subjected, rather than insubordinate, to "the Holy Bible" at the words "settle matters quickly with thy adversary" yet I've received no settlement offer since the , fourteen (14) agreements already existing of chronologically dated records, rather than their being insubordinate to their already existing self-subjection..

I must also bring to your attention the following scriptures, references, laws, rulings

the government **MUST** be restrain from damaging "the people". It is my wish and demand is to be compensated for all tort claims and direct this court for a settlement in equity. My demand and wish is to dismiss fraudulent cases: #12TRD06476, 13CRB02665, Parma Municipal

Court,; dismiss this action without prejudice.

I claim violation of rights, conspiracy, due process, equal protection, mail fraud and committed crimes of official misconduct , libel, malfeasance, and dereliction of fiduciary duty . Because the Aggrieved is a non-corporate entity, and is not registered with this Secretary of State as a CORPORATION, the wrongdoers have **FAILED** to state a claim to which relief can be granted under 12(b) (6). Therefore this matter must be dismissed for lack of political, personam, subject matter jurisdiction. CITY of PARMA, STATE OF OHIO accepted my contract, by not refusing, refuting, or counter offering, according to the law and after 21 days of silence agreed with my complaint after three certified mailing SILENCE IS ACQUIESCENCE, AGREEMENT, AND DISHONOR . **Exhibit A**

Presuming waiver of ...(rights) from a silent record is impermissible." Burgett v. Texas, 389 U.S. 109, Governments descend to **the level of a mere private corporation** and takes on the character of a mere private citizen [where private corporate commercial paper (securities) are concerned]". **"There is no common law judicial immunity."** Pulliam v. Allen . "It is one of the fundamental maxims of the **common law that ignorance of the law excuses** no one." Daniels v. Dean (1905), 2C.A. 421, 84 P. 332. ". 636, 639."

. **Constitutional Law**

" **Maxims of Law:** "Congress declared the Bible "THE WORD OF GOD" and 1983 as a national "YEAR OF THE BIBLE," by passing public law 97-280--Oct 4, 1982, 96 STAT. 1211. That law states the Bible, the Word of God, has made a unique contribution in shaping the United States as a distinctive and blessed nation and people.

god's law,

IN COMMERCE FOR A MATTER TO BE RESOLVED MUST BE EXPRESSED" Heb.

4:16; Phil 4:6; Eph. 6:19-21. Legal Maxim: "He who fails to assert his rights has none."

According to this church law, I have done this many times.

"ALL ARE EQUAL UNDER THE LAW" (God's Law – Moral and Natural Law)

Exodus 21:23-25; Lev 24: 17-21; Deut 1:17, 19:21, Mat. 22:36-40; Luke 10:17; Col 3:25. "NO ONE IS ABOVE THE LAW"

According to this church law even the corporation of the CITY/STATE is ^{not} above man

"TRUTH IS EXPRESSED IN THE FORM OF AN AFFIDAVIT"

Lev. 5:4-5; Lev 6:3-5; Lev. 19:11-13; Num. 30:2; Mat. 5:33; James 5:12.

According to this church law, I fulfilled this several times.

"AN UNREBUTTED AFFIDAVIT STANDS AS TRUTH IN COMMERCE"

12 Pet. 1:25; Heb. 6:13-15. Claims made in your affidavit, if not rebutted, emerge as the truth of the matter. Legal Maxim: "He who does not deny, admits."

According to this church law the DEFENDANTS of the STATE did not rebut my affidavit

"AN UNREBUTTED AFFIDAVIT BECOMES THE JUDGMENT IN COMMERCE" Heb.

6:16-17. There is nothing left to resolve.

According to this church law, the DEFENDANTS did not rebut my affidavit.

This Aggrieved man has a duty to God, and his neighbors, to understand and apply the commands of God to his life, in both word and deed." Book of James-"faith without works is dead." No man or government has lawful authority to trespass on my religious convictions, as I sincerely know them to be truth (See rights under a "common wealth," herein): Protection of free exercise clause extends to all sincere religious beliefs; courts may not evaluate religious truth. *Ferguson v. C.I.R.*, 921 F2d 588 (5th Cir. 1991). Free exercise clause forbids government from adopting laws designed to suppress religious belief or practice. *American Life League, Inc. v. Reno*, 47 F3d 642 (4th Cir. 1995).

I live under the two laws Christ gave; 1) Love God 2) Love my neighbor as myself.

church law

The Crime of Aggression is a crime under the Rome Statute of the International Criminal Court. *According to this church law, DEFENDANTS committed a crime.*

Pontifical Council for Justice and Peace

Can. 22 Whoever illegitimately inflicts damage upon someone by a juridic act or by any other act placed with malice or negligence is obliged to repair the damage inflicted. *According to this church law, DEFENDANTS are obliged to repair the damage.*

PROOF OF SERVICE

Now Comes , paul r. gwaz, as Real Party of Interest

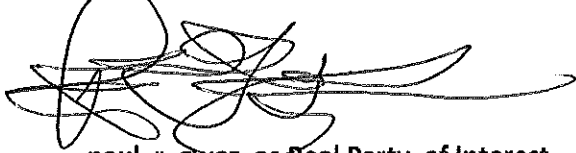
files with the Clerk of Court this document; Request for Entry of

Appearance: As a Living man with a Soul in Case # 1:13 cr

00253 in the United States District Court for the **NORTHERN DISTRICT OF OHIO** on this

___11___ day of

April in the year of our Lord 2014 A.D.

A handwritten signature in black ink, appearing to read 'Paul R. Gwaz', with a long horizontal flourish extending to the right.

paul r. gwaz, as Real Party of Interest

287 brad dr.

Brunswick, Ohio (near 44212)

Stick7stone@gmail.com

Phone # 440-623-6584

Third Party of Interest and One of the Real Parties of Interest,

A flesh and blood man/woman with a soul

c.c. CITY OF PARMA

5555 Powers Rd

Parma, Ohio